UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,839	04/30/2001	Robert E. Johnson	10004559-1	3219

7590   07/27/2007

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EXAMINER
BULLOCK, JOSHUA

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
07/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	**Applicant(s)**
Office Action Summary	09/845,839	JOHNSON ET AL.
	Examiner	**Art Unit**	
	Joshua Bullock	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 February 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   In view of the appeal brief filed on February 15, 2007, PROSECUTION IS

HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed

by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:
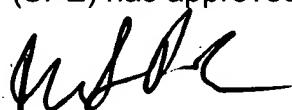
CHRISTIAN CHACE
SUPERVISORY PATENT EXAMINER
Claims 1-30 are rejected.   TECHNOLOGY CENTER 2100

Claim Objections

2.   Claim 22 is objected to because of the following informalities:

Claim 22 has an improper dependency reciting, "system of claim 22..." thus rendering

the claim dependent upon itself. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-30 are rejected under 35 U.S.C. 102(e) as being unpatentable over

Blumenau (US Patent No. 6,263,445 B1), hereinafter referred to as Blumenau.

In respect to Claim 1, Blumenau discloses:

-       **a method comprising: storing discovery information relating to a**

        storage device (Discovery information is data which allows you to

        identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67)

        storage device for managing stored data, wherein this data includes

        "discovery information" (column 4, lines 62-67, column 5, lines 1-12).)

-       **querying said storage device for device identification information**

        (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12)

        queries to identify devices on the network which consists of world wide

        names and source identifiers which is "device identification information".)

-       **comparing at least a portion of returned device identification**

        information to at least a portion of said stored discovery

        information (Blumenau discloses (column 8, lines 10-21, column 7,

lines 15-25) comparison of device identifiers with entries in a table,

wherein this table store discovery information (column 8, lines 47-35,

column 9, lines 26-51).)

As per Claim 2, Blumenau discloses:

- **at least a portion of said stored discovery information includes**

device and host bus adapter information (Blumenau discloses

(column 6, lines 42-55) use of host bus adapter information.)

As per Claim 3, Blumenau discloses:

- **stored discovery information is obtained through at least one small**

computer system interface (SCSI) inquiry (Blumenau discloses

(column 5, lines 13-32) obtaining information through SCSI.)

As per Claim 4, Blumenau discloses:

- **stored discovery information is obtained through at least one**

element selected from the group consisting of: at least one system

file; at least one system registry; and combinations thereof

(Blumenau discloses (column 3, lines 13-20, 58-67) obtaining

information from file servers, wherein these files combined create a

registry.)

As per Claim 5, Blumenau discloses:

- **stored discovery information is obtained through at least one**

element selected from the group consisting of: operating system

kernel application programming interface call; host bus adapter

device driver library application programming interface; and some

combination thereof (Blumenau discloses (column 2, lines 8-17,

column 4, lines 36-39) an interface for obtaining information.)

As per Claim 6, Blumenau discloses:

- **at least a portion of said returned device identification information**

 includes Product ID, Vendor ID, and Product Revision information

 (column 4, lines 62-67, column 5, lines 1-6)

As per Claim 7, Blumenau discloses:

- **returned device identification information includes standard device**

 inquiry information (Blumenau discloses (column 8, lines 10-21)

 address information, wherein address information is standard device

 inquiry information.)

As per Claim 8, Blumenau discloses:

- **stored discovery information includes device address information**

 (Blumenau discloses (column 8, lines 10-21) address information,

 wherein address information is standard device inquiry information.)

As per Claim 9, Blumenau discloses:

- **device address information includes claimed address information;**

 and wherein said method further comprises: determining claimed

 address information for said storage device; and comparing said

 determined claimed address information to said stored claimed

 address information (Blumenau discloses (column 8, lines 10-21)

address information, wherein address information is standard device

inquiry information.)

As per Claim 10, Blumenau discloses:

- **flagging said stored discovery information if said determined claimed address information does not match said stored claimed address information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 11, Blumenau discloses:

- **stored discovery information further includes serial number information for said storage device, and wherein said method further comprises: querying said storage device for serial number information for said device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-6) identification information, wherein a serial number is identification information.)

- **comparing said serial number information received in response to said serial number information query to said stored serial number information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51), wherein serial number information is a device.)

As per Claim 12, Blumenau discloses:

- **querying said storage device for serial number information for said device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)

- **accepting said stored device address information as valid if an error is returned in response to said query** (Blumenau discloses (column 3, lines 38-57) validation of identification information.)

As per Claim 13, Blumenau discloses:

- **querying includes at least one small computer system interface (SCSI) inquiry** (Blumenau discloses (column 5, lines 13-32) obtaining information through SCSI.)

As per Claim 14, Blumenau discloses:

- **flagging said stored discovery information if said at least a portion of said returned information does not match said at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 15, Blumenau discloses:

- **deleting or updating said stored discovery information if said stored discovery information is flagged** (Blumenau discloses (column

8, lines 10-21, 47-65) comparison of address information, wherein

request are ignored or dropped, wherein ignored or dropped requests

are deleted.)

As per Claim 16, Blumenau discloses:

- **storing discovery information includes storing discovery**

   information on a host system and a storage management system

   (Discovery information is data which allows you to identify devices.

   Blumenau discloses (column 1, lines 7-9 & 52-67) storage device for

   managing stored data, wherein this data includes "discovery information"

   (column 4, lines 62-67, column 5, lines 1-12).)

- **wherein said deleting or updating said stored discovery**

   information includes deleting or updating said discovery

   information stored at said host system and at said storage

   management system (Blumenau discloses (column 8, lines 10-21, 47-**

   65) comparison of address information, wherein request are ignored or

   dropped, wherein ignored or dropped requests are deleted.)

As per Claim 17, Blumenau discloses:

- **transmitting an event to said storage managements system**

   requesting said storage management system to delete or update

   said discovery information stored at said storage management

   system (Blumenau discloses (column 8, lines 10-21, 47-65) comparison

of address information, wherein request are ignored or dropped, wherein

ignored or dropped requests are deleted.)

As per Claim 18, Blumenau discloses:

- **storing said returned information as a new device** (Blumenau

disclosed (column 4, lines 50-61) new devices which consists of

information.)

As per Claim 19, Blumenau discloses:

- **communicating an event requesting the addition of said returned**

information or an update of previous information using said

returned information (column 4, lines 13-34)

As per Claim 20, Blumenau discloses:

- **preventing communication between a storage management system**

and said device during said storing said returned information as a

new device (Blumenau discloses (column 9, lines 45-47) prevention of

communication.)

In respect to Claim 21, Blumenau discloses:

- **a system comprising: means for storing discovery information for**

a storage device (Discovery information is data which allows you to

identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67)

storage device for managing stored data, wherein this data includes

"discovery information" (column 4, lines 62-67, column 5, lines 1-12).)

- **means for querying said storage device for device identification information** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)

- **means for comparing at least a portion of device identification information received in response to said query to at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).)

As per Claim 22, Blumenau discloses:

- **discovery information includes device address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

As per Claim 23, Blumenau discloses:

- **device address information includes claimed address information for said storage device; and wherein said system further comprises: means for determining claimed address information for said device** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

- **means for comparing said determined claimed address information to said stored claimed address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

- **means for flagging said stored discovery information if said determined claimed address information does not match said stored claimed address information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 24, Blumenau discloses:

- **discovery information further includes serial number information for said storage device, and wherein said system further comprises: means for querying said storage device for serial number information for said storage device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-6) identification information, wherein a serial number is identification information.)

- **means for comparing said serial number information received in response to said serial number information query to said stored serial number information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines

47-35, column 9, lines 26-51), wherein serial number information is a
device.)

-       **means for flagging said stored discovery information if said
received serial number information does not match said stored
serial number information** (Blumenau discloses (column 8, lines 10-
21, 47-65) comparison of address information, wherein request are
ignored or dropped, wherein ignored or dropped requests are flagged
data.)

As per Claim 25, Blumenau discloses:

-       **means for querying said storage device for serial number
information for said device** (Blumenau discloses (column 4, lines 62-
67, column 5, lines 1-12) queries to identify devices on the network
which consists of world wide names and source identifiers which is
"device identification information".)

-       **means for accepting said stored device address information as
valid if an error is returned in response to said query for serial
number information** (Blumenau discloses (column 3, lines 38-57)
validation of identification information.)

As per Claim 26, Blumenau discloses:

-       **means for flagging said stored discovery information if said at least
a portion of said received information does not match said at least
a portion of said stored discovery information** (Blumenau discloses

(column 8, lines 10-21, 47-65) comparison of address information,

wherein request are ignored or dropped, wherein ignored or dropped

requests are flagged data.)

As per Claim 27, Blumenau discloses:

- **means for deleting or updating said stored discovery information if**

  said stored discovery information is flagged (Blumenau discloses

  (column 8, lines 10-21, 47-65) comparison of address information,

  wherein request are ignored or dropped, wherein ignored or dropped

  requests are deleted.)

As per Claim 28, Blumenau discloses:

- **means for preventing communication between a storage**

  management system and said storage device when said stored

  discovery information is being deleted or updated (Blumenau

  discloses (column 9, lines 45-47) prevention of communication.)

In respect to Claim 29, Blumenau discloses:

- **a system comprising: at least one host system, wherein at least**

  one storage device is embedded in or coupled to each of said at

  least one host system; and wherein each of said at least one host

  system stores information relating to said at least one storage

  device embedded in or coupled thereto (Discovery information is data

  which allows you to identify devices. Blumenau discloses (column 1,

  lines 7-9 & 52-67) storage device for managing stored data, wherein this

data includes "discovery information" (column 4, lines 62-67, column 5, lines 1-12).)

- **at least one host agent process, wherein each of said at least one host agent process resides on a respective host system of said at least one host system** (column 4, lines 3-12)

- **wherein each of said at least one host agent process is operable to query said at least one storage device embedded in or coupled to said host system on which said host agent process resides for device identification information** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".), **as well as to compare information returned by said at least one storage device to at least a portion of discovery information stored for said at least one storage device at said host system to which said at least one storage device is coupled** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).)

As per Claim 30, Blumenau discloses:

- **at least one host agent process queries said at least one storage device during system start up or doing a discovery polling period**

(Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network consisting of a host agent process, which consists of world wide names and source identifiers which is "device identification information".)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Bullock whose telephone number is 571-270-1395. The examiner can normally be reached on 7:30am-5pm EST M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joshua Bullock
Patent Examiner
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07/16/2007

/ck/

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